IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1481 OF 2002

Deepak Madhukar Chavan @ Bala ...Petitioner
vs.
State of Maharashtra & Ors. ...Respondents

Ms P.P.Tendulkar for the Petitioner
Ms M.H.Mhatre,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 13,2005

P.C.:

1. Heard Advocate for the Petitioner and the learned A.P.P. for State. My attention has been invited to the order dated 3rd March 2005 passed by this Court in which it is stated that the Petitioner has already suffered the order of externment.

2. The learned Advocate for the Petitioner submitted that the order of externment has been passed on the basis of stale incidents of the year 1994 and 1997 for which the Petitioner has already been acquitted. It is submitted that the order of externment could not be passed only on the basis of in camera statements of the witnesses.

3. I have considered the submissions. The order of externment is based on one offence registered on 28th December 2001 and seven in camera statements relating to the incidents for the period from November 2001 to March 2002. Show cause notice is issued on 9th April 2002. The order of externment

was passed on 24th September 2002. Looking to the allegations which are made in the show cause notice, it cannot be said that the show cause notice is based on the incidents which are stale. It cannot be said that the order has no nexus with the prejudicial activities alleged against the Petitioner. There is no merit in the Petition and the same is dismissed.

JUDGE